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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

HUB REALTY MANAGEMENT, LLC and 185 AVENUE B, LLC,	CASE NO.:
Plaintiffs	Civil Action
v.	
AXIS INSURANCE COMPANY,	
Defendant.	

**PETITION FOR REMOVAL**

**PLEASE TAKE NOTICE** that Defendant, AXIS INSURANCE COMPANY (“AXIS”), hereby removes this action pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 from the Superior Court of New Jersey Law Division, Essex County, to the United States District Court for the District of New Jersey. This action is styled *HUB Realty Management, LLC and 185 Avenue B, LLC. v. AXIS Insurance Company*, Index No. ESX-L-009131-18 (the “State Court Action”). The grounds for removal are as follows:

1. On or about December 27, 2018, Plaintiffs commenced this civil action against AXIS in the Superior Court of New Jersey Law Division, Essex County, by filing a summons and verified complaint. True and correct copies of the summons and verified complaint are attached hereto as **Exhibit “A”** in accordance with 28 U.S.C. § 1446(a).

2. Plaintiffs served AXIS with the summons and verified complaint via serving a copy of the same on the Secretary of State for the State of New Jersey on or about January 8, 2019. Thus, this notice of removal is being timely filed pursuant to 28 U.S.C. § 1446(b) because it is filed within 30 days of service.

3. The Complaint seeks a declaration that AXIS is obligated to pay Plaintiffs under a Property Insurance Policy, Policy No.: MCF622107-17, for damages allegedly sustained to Plaintiffs' property. Upon information and belief, the amount in controversy exceeds \$75,000.

4. Plaintiff HUB Realty Management, LLC is a New Jersey limited liability corporation with its principal place of business located at 447 Northfield Avenue, West Orange, New Jersey 07052. Plaintiff 185 Avenue B, LLC is a New York limited liability corporation that maintains its principal place of business at 447 Northfield Avenue, West Orange, New Jersey 07052. Pursuant to the Complaint filed in the Superior Court of New Jersey Law Division, Essex County, Plaintiff 185 Avenue B, LLC owns the commercial property located at 185-189 Avenue B, New York, New York 10009 which is the subject of the instant action.

5. AXIS is incorporated under the laws of the State of Illinois with a statutory home office located at 111 South Wacker Drive, Ste. 3500, Chicago, Illinois 60606 and its principal place of business is located at 11680 Great Oaks Way, Ste. 500, Alpharetta, Georgia 30022.

6. This Court has subject matter jurisdiction under 28 U.S.C. § 1332 because this is a civil action in which the amount in controversy exceeds the sum of \$75,000, exclusive of costs and interests, and is between corporations of different states.

7. No previous application has been made for the relief requested herein.

8. This is an action over which this Court would have had original jurisdiction had it been filed initially with this Court, and Removal is proper under the provisions of 28 U.S.C. § 1441(a).

9. As required by 28 U.S.C. § 1446(a), a true and correct copy of the Summons and Complaint, the only pleadings filed in this matter to date, is attached hereto as Exhibit "A."

10. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served upon counsel for the plaintiffs, and a copy is also being filed with the Clerk of the Court for the Superior Court of New Jersey, Essex County. The Notice of Filing Petition for Removal, without accompanying exhibits, is attached as Exhibit "B."

11. Therefore, AXIS is entitled to Removal of the State Court Action to this Court pursuant to 28 U.S.C. 1441(a).

**WHEREFORE**, AXIS respectfully requests that this State Court Action be removed from the Superior Court of the State of New Jersey, Essex County to the United States District Court for the District of New Jersey, and that it proceeds in this Court as an action properly removed thereto.

Dated: February 6, 2019

Respectfully submitted,  
CLAUSEN MILLER, P.C.

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